

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIOBHAN MORROW and ASHLEY
GENNOCK, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

ANN INC., a Delaware corporation,

Defendant.

Civil Action No. 16-cv-3340(JPO)(SN)

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS SETTLEMENT AND CERTIFICATION OF SETTLEMENT CLASS**

TO: THE COURT, ALL PARTIES, AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiffs Siobhan Morrow and Ashley Gennock (“Plaintiffs”) will, and hereby do, move the Court, before Honorable J. Paul Oetken, United States District Judge for the Southern District of New York, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, at a date and time to be set by the Court, for an Order Preliminarily Approving the Class Action Settlement and Providing for Notice. This Motion is brought pursuant to Fed. R. Civ. P. 23(e) and seeks an order:

- (1) granting preliminary approval to the settlement;
- (2) conditionally certifying, for settlement purposes only, the proposed Class;
- (3) directing that notice of the settlement be given to the Class in the form and manner as proposed in the Settlement;
- (4) setting a date by which objections, if any, to the Settlement, the plan of distribution, and/or the application for the award of attorneys’ fees and expenses must be served and filed;

- (5) setting a date by which members of the Class may request exclusion from the Class;
- (6) setting a date by which Class Members wishing to participate in the settlement must submit properly completed proof of claim and release forms and supporting documents; and
- (7) scheduling a hearing before the Court to determine whether the proposed settlement should be finally approved.

This Motion is based upon Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Preliminary Approval of Class Settlement and Certification of Settlement Class and the Joint Declaration of Joseph P. Guglielmo and Gary F. Lynch and the exhibits annexed thereto, including the Settlement Agreement. Plaintiffs' counsel have conferred with Defendant's counsel and Defendant does not oppose this Motion.

DATED: December 12, 2017

Respectfully submitted,
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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ Joseph P. Guglielmo

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